



City of South Bend PLAN COMMISSION

County-City Building
227 W. Jefferson Blvd. 1400S
South Bend, IN 46601
(574) 235-7627
www.southbendin.gov/zoning

MINUTES

January 21, 2025
4:00 p.m.

Council Chambers, 4th Floor
County-City Building, South Bend, IN

MEMBERS PRESENT:

Sarah Barber (virtual)
Francisco Fotia
Jason Piontek
Caitlin Stevens
Tyler Gillean

MEMBERS ABSENT:

Dr. Oliver Davis
Scott Ford
John Martinez

ALSO PRESENT:

Michael Divita
Kari Myers
Amani Morrell
Tom Panowicz (virtual)
Kelly Meehan

ADMINISTRATIVE ITEMS

1. Election of Officers:

Upon a motion from Caitlin Stevens and seconded by Tyler Gillean and unanimously carried, Jason Piontek was elected President.

Upon a motion by Caitlin Stevens and seconded by Tyler Gillean and unanimously carried, Francisco Fotia was elected Vice-President.

PUBLIC HEARING

1. A combined public hearing on a proposed ordinance of CITY OF SOUTH BEND DEPARTMENT OF REDEVELOPMENT to zone from I Industrial to S2 Suburban Neighborhood 2 and seeking the following variance(s): 1) Use variance to allow a Group Residence; and 2) Variance from a required building type to no building type, property located at 4022 CLEVELAND RD, City of South Bend - PC# 0240-25.

(Audio Position: 07:15)

STAFF REPORT

The staff report was presented by Amani Morrell.

Analysis: Zoning this property to S2 Suburban Neighborhood 2 will allow for a use that is compatible with the built form and use of surrounding properties. The programming of the site will result in buildings which do not fit well within the defined building types in the zoning ordinance, though the development meets the intent of the ordinance for an S2 Suburban Neighborhood 2 zoned parcel.

Staff Recommendation: Based on information available prior to the public hearing, the staff recommends the Plan Commission approve the development variance and send the

rezoning petition and use variance to the Common Council with a favorable recommendation.

PETITIONER

Joseph Molnar, Property Development Manager, Department of Community Investment, appeared in person to present.

INTERESTED PARTIES

There was no one from the public to speak.

PUBLIC COMMENT

There was no one from the public to speak.

ACTION

After due consideration, the following action was taken:

Upon a motion by Caitlin Stevens, being seconded by Tyler Gillean and unanimously carried, a proposed ordinance of CITY OF SOUTH BEND DEPARTMENT OF REDEVELOPMENT to zone from I Industrial to S2 Suburban Neighborhood 2, property located at 4022 CLEVELAND RD, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

Upon a motion by Caitlin Stevens, being seconded by Francisco Fotia and unanimously carried, a Use Variance to allow a Group Residence, property located at 4022 CLEVELAND RD, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

Upon a motion by Francisco Fotia, being seconded by Caitlin Stevens and unanimously carried, the variance from a required building type to no building type, property located at 4022 CLEVELAND RD, City of South Bend, was approved.

2. A proposed ordinance of PROPERTY BROTHERS, LLC to zone from U3 Urban Neighborhood 3 to U2 Urban Neighborhood 2, property located at 616 SHERMAN AVENUE, City of South Bend - PC# 0239-25. *(Audio Position: 16:25)*

STAFF REPORT

The staff report was presented by Kari Myers.

Analysis: Rezoning the site to U2 Urban Neighborhood 2 will allow for residential growth and increased housing options in the neighborhood while not drastically changing the established character.

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Staff Recommendation: Based on information available prior to the public hearing, the Staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation

PETITIONER

Chris Godlewski, Abonmarche Consultants, 315 W. Jefferson Blvd., South Bend, appeared in person on behalf of the petitioner.

INTERESTED PARTIES

There was no one from the public to speak.

PUBLIC COMMENT

There was no one from the public to speak.

ACTION

After due consideration, the following action was taken:

Upon a motion by Francisco Fotia, being seconded by Tyler Gillean and unanimously carried, a proposed ordinance of PROPERTY BROTHERS, LLC to zone from U3 Urban Neighborhood 3 to U2 Urban Neighborhood 2, property located at 616 SHERMAN AVENUE, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

3. A combined public hearing on a proposed Major Subdivision, IRON CREEK VILLAS MAJOR SUBDIVISION, by FOX CREEK, LLC, located at 17023 Hepler Street (NWC Hepler St. & Hickory Rd), City of South Bend, also seeking the following variance(s): 1) from the maximum units in a cottage court of 5 units to 12 units; 2) from the maximum width of a duplex of 48' to 54' for units 5-6, 7-8, 10-11, and 12-13, to 72' 4" for units 1-2 and 3-4, and to 120' for unit 9-14; 3) no frontage type for unit 9-14; 4) from the maximum fence height in a front yard of 3' to 6'. - #0227-24 *(Audio Position: 20:20)*

STAFF REPORT

The staff report was presented by Amani Morrell.

Analysis: Variances 1 and 2 allow for the development of cottage courts that are consistent with the intent of the ordinance and contextually appropriate in a suburban setting. Variance 3 is appropriate as a frontage type will be provided to the open space of the cottage court. Variance 4 would allow for an extensive privacy fence running along a public right-of-way, which is not consistent with the intent of the ordinance.

Staff Recommendation: The staff has reviewed this subdivision and finds that if the waivers are granted and the conditions are met, it complies with the requirements for Primary Approval as specified by the South Bend Subdivision Control Ordinance. The staff therefore recommends that this subdivision be granted Primary Approval, subject to the following: Addressing all comments from zoning such as eliminating outlots,

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removing surrounding subdivision indications to avoid confusion, and providing support data sheet, and comments from Engineering regarding an acceptable drainage plan, and any possible utility or water/sewage extension agreements. The staff recommends the Plan Commission approve Variances 1, 2, and 3 as presented, and deny variance 4.

PETITIONER

Chris Godlewski, Abonmarche Consultants, 315 W. Jefferson Blvd., South Bend, appeared in person on behalf of the petitioner.

INTERESTED PARTIES

There was no one from the public to speak.

PUBLIC COMMENT

There was no one from the public to speak.

ACTION

After due consideration, the following action was taken:

Upon a motion by Francisco Fotia, being seconded by Tyler Gillean and unanimously carried by vote, the Plan Commission finds the evidence adduced at this Plan Commission Hearing supports each element of the Staff Report, and IRON CREEK VILLAS MAJOR SUBDIVISION Subdivision therefore complies with the City of South Bend Subdivision Control Ordinance and is granted Primary Approval, subject to the following: Addressing all comments from zoning such as eliminating outlots, removing surrounding subdivision indications to avoid confusion, and providing support data sheet, and comments from Engineering regarding an acceptable drainage plan, and any possible utility or water/sewage extension agreements.

Upon a motion by Francisco Fotia, being seconded by Tyler Gillean and carried by vote, the waivers from Section 21-11.02 (c) (2) Every lot shall abut on a public street for lots 5-8, 10-13, 31-35, 38-42; Section 21-11.04 (b) (6) Cul-de-sac and dead-end streets, designed to be so permanently, shall not be longer than 200 feet measured along its centerline from the centerline of the intersecting street to the radius point, were approved.

Upon a motion by Tyler Gillean, being seconded by Francisco Fotia and unanimously carried, the variances 1) from the maximum units in a cottage court of 5 units to 12 units, 2) from the maximum width of a duplex of 48' to 54' for units 5-6, 7-8, 10-11, and 12-13, to 72' 4" for units 1-2 and 3-4, and to 120' for unit 9-14; 3) no frontage type for unit 9-14, and 3) no frontage type for units 7 and 14 were approved; and 4) from the maximum fence height in a front yard of 3' to 6' was withdrawn, property located at 17023 HEPLER ST, City of South Bend.

4. A combined public hearing on a proposed Major Subdivision, MARION COURT MAJOR SUBDIVISION, by DEPARTMENT OF REDEVELOPMENT CITY OF SOUTH BEND, located at the northwest corner of Marion Street and Leland Avenue, and seeking the following variance(s): Variance from the required 20' rear setback to 18', property located at 603 MARION ST, City of South Bend - #0238-25

(Audio Position 38:24)

STAFF REPORT

The staff report was presented by Amani Morrell

Analysis: The variance reducing the rear yard setback will allow for a duplex on a small square lot that matches the scale and built form of the surrounding area. If the duplex were rotated to face Leland Avenue, the house would only require a 5' setback.

Staff Recommendation: The Staff has reviewed this subdivision and finds that if the conditions are met it complies with the requirements for Primary Approval as specified by the South Bend Subdivision Control Ordinance. The Staff therefore recommends that this subdivision be granted Primary Approval, subject to the following: Master utility plan, dedicated improvements agreement, and drainage plan required prior to major secondary approval. Public water line needs to have 20' of clear space for easement. No utilities other than sanitary sewer should be within this easement. Specify responsibilities of each utility – water main will be dedicated as public, but stormwater/sanitary lines on site must be maintained privately. No sewer should be placed in the alley. Lots with frontage on street should utilize existing utilities in street. Water extensions will be public. 6' wide sidewalk required where there is no treelawn. The Staff recommends the variance be granted as presented.

PETITIONER

Steve Ruby, Abonmarche Consultants, 315 W. Jefferson Blvd., South Bend, appeared in person on behalf of the petitioner.

INTERESTED PARTIES

There was no one from the public to speak.

PUBLIC COMMENT

There was no one from the public to speak.

ACTION

After due consideration, the following action was taken:

Upon a motion by Francisco Fotia, being seconded by Tyler Gillean and unanimously carried by vote, the Plan Commission finds the evidence adduced at this Plan Commission Hearing supports each element of the Staff Report, and MARION COURT MAJOR SUBDIVISION Subdivision therefore complies with the City of South Bend

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Subdivision Control Ordinance and is granted Primary Approval, subject to the following: Master utility plan, dedicated improvements agreement, and drainage plan required prior to major secondary approval. Public water line needs to have 20' of clear space for easement. No utilities other than sanitary sewer should be within this easement. Specify responsibilities of each utility – water main will be dedicated as public, but stormwater/sanitary lines on site must be maintained privately. No sewer should be placed in the alley. Lots with frontage on street should utilize existing utilities in street. Water extensions will be public. 6' wide sidewalk required where there is no treelawn.

Upon a motion by Francisco Fotia, being seconded by Tyler Gillean and unanimously carried, the variance from the required 20' rear setback to 18', property located at 603 MARION ST, City of South Bend, was approved.

5. A proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from I Industrial to U3 Urban Neighborhood 3, property located at 1408 ELWOOD AVE, City of South Bend - PC# 0241-25. *(Audio Position: 48:00)*

STAFF REPORT

The staff report was presented by Kari Myers.

Analysis: Rezoning the site to U3 Urban Neighborhood 3 will allow for residential growth and increased housing options in the Portage Elwood Neighborhood and allow for the adaptive reuse of a large vacant industrial parcel. Approving the rezoning will allow for a greater possibility of development that best fits the character of the neighborhood.

Staff Recommendation: Based on information available prior to the public hearing, the staff recommends the Plan Commission send the rezoning petition to the Common Council with a favorable recommendation.

PETITIONER

Joseph Molnar, Property Development Manager, Department of Community Investment, appeared in person to present.

INTERESTED PARTIES

There was no one from the public to speak.

PUBLIC COMMENT

There was no one from the public to speak.

ACTION

After due consideration, the following action was taken:

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Upon a motion by Caitlin Stevens, being seconded by Francisco Fotia and unanimously carried, a proposed ordinance of CIVIL CITY OF SOUTH BEND to zone from I Industrial to U3 Urban Neighborhood 3, property located at 1408 ELWOOD AVE, City of South Bend, is sent to the Common Council with a FAVORABLE recommendation.

ITEMS NOT REQUIRING A PUBLIC HEARING

A. MINOR SUBDIVISIONS:

1. SHERMAN AVENUE MINOR SUBDIVISION – PC# 0229-24

(Audio Position: 54:42)

STAFF REPORT

The staff report was presented by Kari Myers.

Staff Recommendation: The Staff has reviewed this subdivision and finds it complies with the requirements for Primary Approval as specified by the South Bend Subdivision Control Ordinance. The Staff therefore recommends that this subdivision be granted Primary Approval.

ACTION

After due consideration, the following action was taken:

Upon a motion by Francisco Fotia, being seconded by Tyler Gillean and unanimously carried, the Plan Commission finds the evidence adduced at this Plan Commission Hearing supports each element of the Staff Report, and SHERMAN AVENUE MINOR SUBDIVISION Subdivision therefore complies with the City of South Bend Subdivision Control Ordinance and is granted Primary Approval.

2. OCR CABANA MINOR SUBDIVISION – PC# 0237-25

(Audio Position: 55:47)

STAFF REPORT

The staff report was presented by Kari Myers.

Staff Recommendation: The Staff has reviewed this subdivision and finds it complies with the requirements for Primary Approval as specified by the South Bend Subdivision Control Ordinance. The Staff therefore recommends that this subdivision be granted Primary Approval.

ACTION

After due consideration, the following action was taken:

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Upon a motion by Francisco Fotia, being seconded by Tyler Gillean and unanimously carried, the Plan Commission finds the evidence adduced at this Plan Commission Hearing supports each element of the Staff Report, and OCR CABANA MINOR SUBDIVISION Subdivision therefore complies with the City of South Bend Subdivision Control Ordinance and is granted Primary Approval.

B. DEVELOPMENT PLANS

1. A proposed RESOLUTION OF THE SOUTH BEND PLAN COMMISSION APPROVING RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION APPROVING AMENDMENTS TO THE DECLARATORY RESOLUTION AND THE DEVELOPMENT PLAN FOR THE RIVER WEST DEVELOPMENT AREA FOR THE PURPOSE OF ESTABLISHING A NEW ALLOCATION AREA AND RELATED MATTERS, City of South Bend - PC# 0242-25. *(Audio Position: 56:49)*

STAFF REPORT

The staff report was presented by Michael Divita.

Staff Recommendation: Based on the information available prior to the public hearing, the staff recommends the Plan Commission approve the resolution.

PETITIONER

Caleb Bauer, Executive Director, City of South Bend Department of Community Investment, appeared in person.

INTERESTED PARTIES

There was no one from the public to speak.

PUBLIC COMMENT

There was no one from the public to speak.

ACTION

After due consideration, the following action was taken:

Upon a motion by Francisco Fotia, being seconded by Caitlin Stevens and unanimously carried, a proposed Resolution, RESOLUTION OF THE SOUTH BEND PLAN COMMISSION APPROVING RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION APPROVING AMENDMENTS TO THE DECLARATORY RESOLUTION AND THE DEVELOPMENT PLAN FOR THE RIVER WEST DEVELOPMENT AREA FOR THE PURPOSE OF ESTABLISHING A NEW ALLOCATION AREA AND RELATED MATTERS, City of South Bend, is APPROVED.

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B. FINDINGS OF FACT – None for consideration.

C. MINUTES:


Upon a motion by Francisco Fotia, being seconded by Tyler Gillean, and unanimously carried, the minutes from the December 16, 2024, meeting were approved.

D. UPDATES FROM STAFF

5. ADJOURNMENT- 5:15pm



Jason Piontek,
President



Tim Corcoran,
Interim Secretary of the Commission